

**RESOLUTION AND MEMORIAL IN MEMORY OF**

MAY 12 2022

**NELSON M. CASSTEVEN, JR.**

US DISTRICT COURT  
WESTERN DISTRICT OF NC

MAY IT PLEASE THE COURT, Nelson's family, friends, colleagues and members of the Mecklenburg County Bar:

My name is Bob Hanner. I had the privilege and honor of practicing law with Nelson M. Casstevens, Jr., for almost 50 years. It is my further privilege to present this resolution on behalf of the Mecklenburg County Bar in honor and memory of an outstanding member of the bar and long-time dear friend Nelson M. Casstevens, Jr., known to his friends as simply "Cass".

Cass was born on August 9, 1941 in Yadkin County, North Carolina, son of Nelson M. Casstevens, Sr. and Bessie Jane Casstevens.

Nelson attended Catawba College, was president of the sophomore class, and graduated with a Bachelor of Arts degree in May 1962. He graduated from Wake Forest University Law School in May 1965. While at Wake Forest he was a member of Phi Alpha Delta legal fraternity and served as its vice president.

Nelson passed the North Carolina Bar in August 1965 and joined the Mecklenburg County Bar in 1966. From April 1966 through 1969, he was a litigator with the Allen Bailey law firm. From February 1972 through 1981, he was a partner in Mraz, Aycock, Casstevens & Davis. From 1981 through 2013, he was the senior partner in Casstevens, Hanner, Gunter, Riopel & Wofford, P.A., specializing in litigation and equitable distribution.

Nelson was a member of the 26th judicial district bar, a member of the North Carolina Bar Association, and a member of the North Carolina State Bar. He also served as a North Carolina State Bar Counselor for ten years. He was admitted to practice in all state courts of North Carolina and all federal district courts of North Carolina. He was also admitted to practice in the US Court of Appeals for the Fourth Circuit. Nelson was a frequent lecturer at continuing legal education programs presented by the NC Bar Association, the Mecklenburg Bar, and the NC Academy of Trial Lawyers.

He was listed in the Best Lawyers in America, the Bar Register of Prominent Lawyers, and The Business North Carolina Legal Elite. Nelson was designated as a North Carolina Super Lawyer for eight consecutive years.

Nelson served as the President of the Wake Forest University Law School Alumni Association and he was a member of the Board of Visitors of Wake Forest Law School and served as its chairman. He enjoyed membership in the Charlotte East Rotary Club for forty years and served as its President in 1977. He was a JAG officer in the North Carolina National Guard. He was a member of Myers Park Country Club. Nelson was passionate

about playing golf, watching ACC basketball, hiking the Blue Ridge, and being a parent and grandparent.

I now yield to Richard Stephens, a long-time friend, law partner and respected member of the Bar who would like to further comment on Nelson's life and service to the legal community.

**Richard D. Stephens:**

MAY IT PLEASE THE COURT, I never practiced law with Mr. Casstevens. I practiced law for almost 50 years against him – and that was quite an experience.

Nelson came to see me not long before he died and asked me if I would be willing to speak at his funeral. After a few bad jokes back and forth about death and dying, I told him it would be an honor to do so. I then asked if he had any suggestions about what I might say. He said, and I quote, "Use as many superlatives as necessary but try not to be redundant." After he died, Wade (his son) called me and told me that I was on a list of three to speak at his Dad's funeral and asked if I was willing to do so. I said, "Of course." He then said I am asking each speaker to limit his remarks to no more than five minutes. I said, "Really? That is not much time." Without hesitation, he said, "Well, if you limit your remarks to five minutes, I will let you bill for a whole hour." I laughed and thought to myself, "The apple really doesn't fall far from the tree."

Nelson was an outstanding lawyer in every respect.

He was an excellent student of the law. He enjoyed Wake Forest Law School, where he battled it out with John Morrow and Gary Davis to see who would finish second in the class after the legendary Jimmy Barnhill. He remained close friends with Barnhill, Davis and Morrow, all of their lives.

He read statutes closely and researched his own cases. He had a broad knowledge of the law -- civil, criminal, wills, real estate, and, of course, family law.

Nelson was a skilled writer. His pleadings, settlement agreements, court orders and judgments were always first rate. (I will add that his correspondence could be colorful at times.) One reason he could produce such high-quality work was his loyal dedicated staff: Clara Hathcock, Lisa Taylor, Le Johnson, Peggy Holden, Patti Skinner, and others. Clara worked with "Mr. C" for 44 years, Lisa for 32 years, and Le, his paralegal, for 25 years. That kind of continuity and loyalty tells you something about what kind of person he was.

Nelson was a bulldog in the courtroom – a fierce advocate for his clients. His many successes were attributable not just to his courtroom abilities (which were formidable) but also to his meticulous preparation. He always did his discovery and prepared his witnesses. And his cross-examination was masterful. In other words, he put in the time.

He was honest and straightforward in all of his dealings. You could count on Nelson to keep his word.

But a recitation of the foregoing talents does not capture what made him so exceptional.

Nelson practiced law, as he lived, with a joyful spirit.

He combined that spirit with common sense and judgment – and empathy. He understood and shared the feelings of his clients.

He cared about them, and they knew he cared.

I suspect Nelson's intangibles came, in part, from his growing up on a farm in Yadkin County and having parents who were connected to the land.

And what a wonderful sense of humor.

We went to lunch after our meeting. During our lunch, I said Nelson you have represented yourself to me from time to time as a poor Yadkin County farmer but one of your law school classmates, John Morrow, recently told me that you showed up at Wake Forest Law School driving a red Corvette convertible. Without hesitation, Nelson replied, "Morrow never gets his facts right. He always exaggerates. It was blue." And then he told me a wonderful story about the tobacco allotment his father gave him at the age of 6, and how he planted, harvested, and sold his tobacco each year and saved his money to buy his first car when he turned 16.

For years, Nelson gathered for a weekend in Chapel Hill with a group of about 30 family law attorneys. Every year, on Friday afternoon, each lawyer was encouraged to share his or her successes (or failures) during the preceding year. When it was Nelson's turn, he always paused for dramatic effect and then with perfect timing said, "For me, it was just another year of quiet desperation." We would all laugh. That remark was so NOT Nelson--he was never desperate and seldom quiet--but we all looked forward to his annual utterance of that remark.

A colleague recently referred to Nelson as one of the titans of our profession. I share that opinion. He was a once in a generation lawyer.

He really was that good.

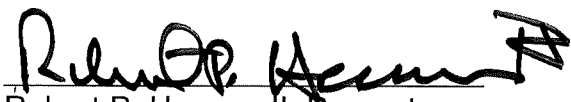
Your Honor, I yield to Mr. Hanner for closing remarks.

**Robert P. Hanner, II:**

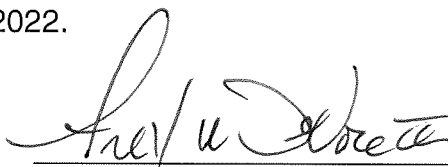
With gratitude for the life and service of Nelson M. Casstevens, Jr. to his profession, with our respect and admiration, and in keeping with the traditions of the Mecklenburg County Bar, we the undersigned, respectfully move the Court to:

1. Adjourn this day in memory and appreciation of Nelson M. Casstevens, Jr.;
2. Receive, stamp, file and inscribe this Resolution and Memorial into the minutes of this Court with a copy to be kept in the Memorials of Deceased Attorneys in the Office of the Clerk of Superior Court of Mecklenburg County; and
3. Provide filed copies of this Resolution to Nelson's family.

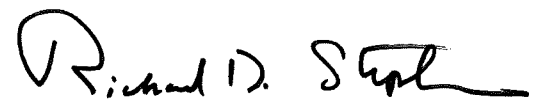
Respectfully submitted this 12<sup>th</sup> day of May, 2022.



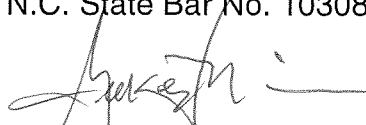
Robert P. Hanner, II, Presenter  
N.C. State Bar No. 5151



Fred W. DeVore, III  
Mecklenburg County Bar President  
N.C. State Bar No. 10308



Richard D. Stephens, Presenter  
N.C. State Bar No. 4149

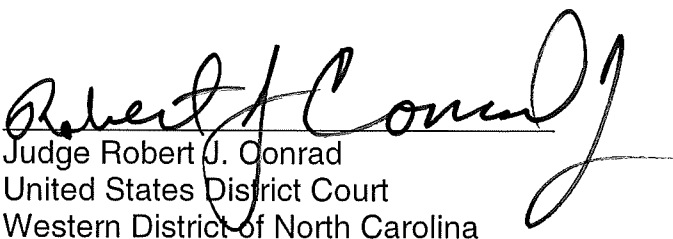


George N. Miller  
Member, MCB Memorials Committee  
N.C. State Bar No. 13614

So Ordered this 12<sup>th</sup> day of May, 2022.



Judge Charles M. Viser  
North Carolina Superior Court  
Mecklenburg County



Judge Robert J. Conrad  
United States District Court  
Western District of North Carolina